

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4TH DAY OF JUNE 1998.

BEFORE

THE HON'BLE MR.JUSTICE CHANDRASHEKHARAIHAH

WRIT PETITION NO. 28853-54 OF 1995.

BETWEEN:

- 465
1. Smt.Usha,
aged about 30 years,
Asha Sweets & Chats,
Shop No.1 in premises No.400,
Ooliga Complex, Sampige
Road, Malleswaram,
Bangalore-560 003.
 2. B.Hemachandra,
aged 19 years, 'Blue Fashions'
Shop No.7, 396, Ooliga Complex,
Sampige Road, Malleswaram,
Bangalore-560 003.

. . Petitioners

(By Sri M/s. Sundaraswamy for Petitioners)

AND

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18/11
1. Bangalore Mahanagara Paalike,
a body constituted under the
provisions of Karnataka
Municipal Corporation Act,
having its Office at Hudson
Circle, J.C.Road,
Bangalore-560 002.

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2. The Asst. Executive Engineer,
Malleswaram Sub-Division,
Bangalore Mahanagara Palike,
Malleswaram,
Bangalore-560 003.

. . Respondents

(By Sri Ashok, Haranahalli, for Respondents)

* * *

Writ petitions filed under Articles 226
and 227 of the Constitution of India with an
affidavit praying to restrain respondents from
interfering with peaceful possession and enjoy-
ment of the business of the petitioner and from
demolishing the same. grant interim order,
restraining the respondents from interfering
with the peaceful possession and running of
business belonging of the petitioner or from
demolishing the same and etc.,

This writ petitions ~~is~~ coming on ~~for~~ *final disposal*
~~orders~~ this day, the Court made the following

O R D E R

The petitioners apprehending
demolition of their buildings by
the Corporation have filed these
petitions.

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Under the Scheme of the Act, there cannot be any demolition of the petitioners' buildings without passing an order as required under the Act. Therefore, there is no scope for the petitioners to apprehend any threat of demolition by the Corporation in the absence of any order passed under the Act.

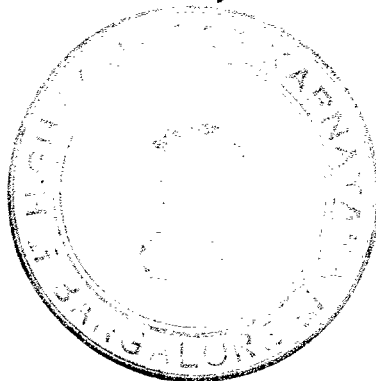
In the light of the above observation, writ petitions are disposed of.

Sd/- JUDGE.

Mc/-

r. by *VLK*

c. by *26/8/98*



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Assistant Registrar
High Court, Bangalore
Bangalore District Court

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